REMARKS

This is a Response to the Final Office Action mailed September 12, 2007, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire December 12, 2007. Claims 1, 10, 19, 22, 23, 25, and 26 are currently amended. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Upon entry of the amendments herewith, claims 1-6, 8-17, 19, 21-23, and 25-29 remain pending.

1. Request For Continued Examination

In accordance with 37 U.S.C. 1.114, a Request For Continued Examination is filed concurrently with this Amendment so that the Office Action mailed September 12, 2007, is effectively made non-final.

2. Obviousness-Type Double Patenting Rejection

The Office Action has rejected claims 1-6, 8-19, and 21-23 under the judicially created doctrine of obviousness-type double patenting as being obvious over copending U.S. Patent Application No. 10/380,786 (Docket No. 970054.435USPC) filed by Aloys Wobben. Applicant notes that an Office Action for Patent Application No. 10/380,786 was mailed March 6, 2007. No reply to the Office Action mailed March 6, 2007 was filed by the Applicant by the three-month reply due date of June 6, 2007. Accordingly, the Patent Application No. 10/380,786 has become abandoned. Furthermore, the maximum statutory period for the Patent Application No. 10/380,786 expired on September 6, 2007. In view that Patent Application No. 10/380,786 has become abandoned, and in view that the maximum statutory period expired on September 6, 2007, Applicant respectfully requests withdrawal of the obviousness-type double patenting rejection in the next Office Action.

3. Rejections Under 35 U.S.C. § 102(b)

In the Final Office Action, at paragraph 4, claims 1, 3, 4, 8, 19, 21-23, 26, 27 and 29 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by *Wichert* ("PV-Diesel Hybrid Energy Systems for Remote Area Power Generation – A Review of Current Practice and Future Developments"), hereinafter *Wichert*. For a proper rejection of a claim under 35 U.S.C. § 102, the cited reference must disclose all elements and/or features of the claim. See, *e.g.*, *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

a. Claim 1

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Wichert* does not disclose, teach, or suggest at least the feature of "a dc device connected to the dc bus bar for detecting the power required in a dc network" and "a controller operable to, in response to the required power in the dc network being less than power generated by the first power generator, first control power provided by the wind turbine that is delivered to the dc network; in response to the required power in the dc network being greater than power generated by the first power generator, second control power provided by the electrical intermediate storage device that is delivered to the dc network; and in response to the detected power required in the dc network being greater than the power generated by the first power generator and provided by the electrical intermediate storage device, third control power provided by the second generator coupled to the internal combustion engine that is delivered to the dc network" as recited in claim 1. In view of the amendment to claim 1, *Wichert* does not anticipate claim 1, and the rejection should be withdrawn.

b. Claim 19

Applicant respectfully submits that independent claim 19 is allowable for at least the reason that *Wichert* does not disclose, teach, or suggest at least the features of "detdetecting electrical power required in a direct current (dc) network with a dc device connected to a dc bus bar," " first sourcing the dc network with the at least one first generator driven by the at least one

wind-power station when consumption of the electrical power in the dc network is less than the electrical energy generation capacity of the wind-power station," "second sourcing the dc network with the at least one first generator driven by the at least one wind-power station and at least one electrical intermediate storage device when consumption of the electrical power in the dc network is less than the generated electrical power of the first generator and a stored energy capacity of the electrical intermediate storage device," and "third sourcing the dc network with the at least one first generator driven by the at least one wind-power station, the at least one electrical intermediate storage device, and at least one second generator driven by at least one internal combustion engine when consumption of the electrical power in the dc network is greater than the generated electrical power of the first generator and the provided power of the electrical intermediate storage device" as recited in claim 19. The Office Action at page 6 alleges that "in order to calculate net load, it is inherent that Wichert includes a dc measuring device for detecting the power required in the network." In view of the amendment to claim 19, *Wichert* does not anticipate claim 19, and the rejection should be withdrawn.

c. Claims 3, 4, 7, 8, 21-23, 26, 27 and 29

Because independent claim 1 is allowable over the cited art of record, dependent claims 3, 4, 8, 26, 27, and 29 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that these dependent claims contain all features/elements of independent claim 1. Similarly, because independent claim 19 is allowable over the cited art of record, dependent claims 21-23 (which depend from independent claim 19) are allowable as a matter of law for at least the reason that these dependent claims contain all features/elements of independent claim 19. See, *e.g.*, *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

4. Rejections Under 35 U.S.C. § 103(a)

In the Final Office Action, at paragraph 6, claims 2, 11-14, 16-17, 25, and 28 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Wichert* in view of *De Zeeuw* ("On the Components of a Wind Turbine Autonomous Energy System"). At paragraph 7,

claims 5 and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Wichert* in view of *Da Ponte* (U.S. Patent 6,175,217). At paragraph 8, claim 6 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Wichert* in view of *Jaunich* (U.S. Patent 6,605,880). At paragraph 9, claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Wichert* in view of *De Zeeuw* and further in view of *Suzuki* (JP 2000-073931A). At paragraph 10, claim 15 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Wichert* in view of *Offringa* (EP 046 530 A1).

Because independent claim 1 is allowable over the cited art of record, dependent claims 2, 5, 6, 9-17, 25, and 28 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that these dependent claims contain all features/elements of independent claim 1. Accordingly, the rejection to these claims should be withdrawn.

4. Conclusion

In light of the above amendments and remarks, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that all pending claims 1-6, 8-17, 19, 21-23, and 25-29 are allowable. Applicant, therefore, respectfully requests that the Examiner reconsider this application and timely allow all pending claims.

The Examiner is encouraged to contact Mr. Armentrout by telephone to discuss the above and any other distinctions between the claims and the applied references, if desired. If the Examiner notes any informalities in the claims, he is further encouraged to contact Mr. Armentrout by telephone to expediently correct such informalities.

Respectfully submitted,

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